

Legislative Update

Volume 1, Issue 6

February 11, 2005

■-□-■ WEEK IN REVIEW ■-□-■

This Week:

- Week In Review
- Program Feature:
Aging and
Disability
Resource Center
- In the Legislature

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Department of Elder
Affairs online at
www.state.ia.us/elderaffairs

“It’s a mistake to regard age as a downhill grade toward dissolution. The reverse is true. As one grows older, one climbs with surprising strides.”
- George Sand

This is the fifth week of the General Assembly and the first funnel date of March 11th is only one month away. Look for bills to begin moving through standing committees at a rapid pace and for multiple sub-committee meetings over the next four weeks.

Monday:

Fred Schuester, from the Centers for Medicare and Medicaid Services, along with various other representatives from the Department of Health and Human Services, spoke with the Senate Human Resources Committee. Legislators pressed for answers related to the issues surrounding IGT’s, and were somewhat frustrated by the limited information the delegation from the Department of Health and Human Services were able to provide. To that end, Mr. Schuester stated his delegation would elevate the concerns shared by members of the committee.

Larry Brewster of the Administration on Aging (AoA) was present and stated AoA priorities as follows:

- 1) The Family Caregiver Support Program;
- 2) The promotion of healthy living;
- 3) Developing and strengthening home and community based services, which included commentary on the department’s Aging and Disability Resource Center grant.

Tuesday:

On Tuesday morning, Republicans held a press conference and outlined their vision for changes to long-term care in Iowa. They discussed means to reduce barriers to home and community based services; allowing nursing homes additional options to establish alternate services by either eliminating or rewriting section 135C.5 of the Iowa Code; implementing a property tax freeze for Iowan’s 65 and older (modeled after the State of Texas); and creating more incentives for individuals to purchase long-term care insurance. During the press conference, Senator Tinsman discussed the increased need for home and community based services, encouraging

the growth of elder group homes, and decreasing the regulatory environment in assisted living.

The Health and Human Services Budget Sub-Committee discussed the FY 06 budgeting process with Randy Bauer of the Department of Management and the opportunity for the legislature to participate in the budgeting process. Also discussed with Dimitri Pantazopoulos were the results of a survey conducted by QEV Analytics in January regarding the Cigarette and tobacco tax. The results showed 7 out of 10 Iowa residents support the tobacco tax increase; that across the border sales of cigarettes account for only 1% of all sales and that the tax burden due to smoking in Iowa is approximately \$586 million.

The House Human Resources standing committee discussed [HSB 117](#), biologically based mental illness, a topic that has been debated by the general assembly for a number of years. It is likely there will be ongoing discussions and sub-committee meetings related to achieving parity for mental health.

Wednesday:

MH/DD/MR/BI Commission Chair Mike Bergan and Vice Chair Linda Kellen, reported on the MH/DD/MR/BI Commission and its work on the redesign of the adult services mental health delivery system. The presentation is available at:
http://staffweb.legis.state.ia.us/lsadocs/SC_MaterialsDist/2005/SDSL L002.PDF.

Mary Nelson of the Iowa Department of Human Services discussed the Community Mental Health Block Grant. Ms. Nelson's presentation is available at
http://staffweb.legis.state.ia.us/lsadocs/SC_MaterialsDist/2005/SDSL L003.PDF.

Thursday:

The House Human Resources Standing Committee met briefly to assign bills.

Upcoming meetings:

An affordable assisted living sub-committee ([HF 154](#)) will be meeting at 10am on Monday, February 14th, in the House Lounge. Following that meeting, at 11am in the House Lounge, the subcommittee for [HF 156](#) and [HF 157](#), related to Dependant Adult Abuse, will meet.

Director Mark Haverland of the Iowa Department of Elder Affairs will discuss Rebalancing Long-Term Care on Monday, February 14th in the Senate Human Resources Standing Committee at 4:30 p.m. in Room 22.

Rob McCommons of Integrated Care Solutions, LLC will be present information on the Program of All-inclusive Care for the Elderly (PACE) at both the house and senate Human Resource Standing Committees on Tuesday, February 22nd. You may access the final feasibility reports and attachments at www.state.ia.us/elderaffairs/services/PACE.html.

Information related to standing committee meetings may be accessed at the legislative web site at www.legis.state.ia.us.

Other Issues:

A fiscal note for [SF 16](#) related to a requirement that reimbursement rates for service providers under the Medical Assistance (Medicaid) Elderly Home and Community Based Waiver to be adjusted annually for inflation. The Bill specifies that the inflation factor is the Skilled Nursing Facility (SNF) Market Basket Index. The estimated fiscal impact to the State General Fund would be \$425,000 in FY 2006 and \$447,000 in FY 2007.

[SF 143](#) has been introduced in the Senate. This is the initial language related to Universal Assessments. This bill will begin in the senate.

Bush Administration's Budget Proposal:

Early this week, President Bush released his FY 2006 budget proposal. The President's proposed budget freezes funding for programs under the Older American's Act (OAA), including family caregiver support, home and community based services, nutrition services, and the older workers program. You can view specifics of the Department of Health and Human Services (HHS) Budget in Brief online at www.dhhs.gov/budget/06budget/FY2006BudgetinBrief.pdf. The Administration on Agings' section (pages 104 to 107), within the HHS budget, are germane to Iowa's Aging network.

Regards,
Joel Wulf
DEA Legislative Liaison

Visit the Iowa Family Caregiver website. Go to www.iowafamilycaregiver.org, or call 1-866-4-NURTURE (1-866-468-7887)

■-□-■ ELDER AFFAIRS FEATURE PROGRAM ■-□-■ Aging and Disability Resource Center

The Aging and Disability Resource Center (ADRC) was created with an \$800K grant from the Administration on Aging (AoA) and the Centers for Medicare and Medicaid (CMS.) Iowa's project is one of 24 state projects. The three-year project will work to integrate the Internet-based aging resources management information system (Iowa Family Caregiver Program,) the developmental disabilities information system (Iowa COMPASS,) and Iowa's 211 human resources information and assistance system. It will also create an interactive consumer-oriented website to support and expand the "no wrong door" approach to accessing the long-term care system for both the aging population and for persons with disabilities. The Aging and Disability Resource Center project work group, made up of representatives of the populations served by the Center, will guide the project's work.

Expected outcomes of the project include:

- ✓ Empower individuals to make informed choices.
- ✓ Streamline access to long-term care support.
- ✓ Minimize consumer confusion.
- ✓ Enhance individual choice.
- ✓ Enable policy makers and program administrators to effectively respond to individual need, address system problems, and limit the unnecessary use of high-cost services.

Contact Mary Anderson, ADRC Project Director, at mary.anderson@iowa.gov or 515-242-3346, for additional information.

■-□-■ IN THE LEGISLATURE ■-□-■

The following is a listing of the bills the department is monitoring. If you would like more information on a particular bill, click on its number and you will be directed to the Iowa General Assembly online bill book.

House Files

[HF 2](#) An Act relating to the phase out of state income tax on pension income and providing a retroactive applicability date. (Ways & Means) Committee Members: Boal (C), Huser, Shoultz, Soderberg and Struyk.



For more information,
the Iowa Legislature
General Assembly
homepage is
www.legis.state.ia.us

House Files *continued*

[HF 12](#) A bill for an act relating to the reimbursement for services provided under a medical assistance home and community-based services waiver for the elderly. (Human Resources) Committee members: Wilderdyke (C), Carroll, Heddens

[HF 20](#) A bill for an act relating to the amount of personal needs allowance for residents of nursing facilities under the medical assistance program. (Human Resources) Committee members: Carroll (C), Petersen, Wilderdyke

[HF 22](#) A bill for an act relating to establishing standardized requirements for long-term care insurance policies. (Commerce)

[HF 24](#) A bill for an act relating to a phase-out of the state income taxation of social security benefits and providing a retroactive applicability date. (Ways & Means) Committee members: Boal (C), Huser, Shoultz, Soderberg, Struyk

[HF 26](#) A bill for an act phasing out the state income tax on social security benefits and on pension and retirement income and providing a retroactive applicability date. (Ways & Means) Committee members: Boal (C), Huser, Shoultz, Soderberg, Struyk

[HF 39](#) A bill for an act relating to enhancing the criminal penalty for offenses against a person sixty-five years of age or older. (Public Safety) Committee members: Rayhons (C), R. Olson, Van Engelenhoven

[HF 46](#) A bill for an act increasing the personal needs allowance for residents of nursing facilities under the medical assistance program. (Human Resources) Committee members: Wilderdyke (C), Carroll, Peterson

[HF 59](#) An Act providing for the determination of partisan balance on boards and commissions and including an applicability provision. (State Government) Committee members: Roberts (C), Jochum, Raecker

[HF 64](#) An Act relating to mandated coverage for mental health conditions, including substance abuse treatment services. (Human Resources)



House Files *continued*

[HF 69](#) An Act relating to the calculation of the amount of social security benefits received that are subject to individual income tax and including a retroactive applicability date provision. (Ways & Means)

[HF 87](#) A bill for an act relating to veterans, concerning employment preference and other related benefits. (State Government) Committee members: Jones, Greiner, Paulsen, Quirk and Whitead.

[HF 89](#) A bill for an act relating to third-party payment of health care coverage costs for mental health conditions, including alcohol or substance abuse treatment services. (Commerce)

[HF 109](#) A bill for an act concerning the determination of partisan balance on boards and commissions. (State Government) Committee members: Roberts, Jochum and Raecker

[HF 112](#) An Act concerning the use of moneys appropriated but unexpended for certain vacant state employee positions. (State Government) Committee members: Roberts, Bukta, Lensing, Paulsen, Raecker, T. Taylor

[HF 119](#) A bill for an act providing an appropriation for the older Iowans legislature. (Appropriations)

[HF 120](#) A bill for an act relating to substitute decision making and guardians and conservators, providing for the collection and appropriation of fees, and making an appropriation. (Human Resources) Committee members: Tomenga, Kurtenbach and Smith

[HF 140](#) A bill for an act relating to the senior living trust fund, providing for appropriation of the moneys in the fund, and providing for a repeal. (Human Resources) Committee members: Heaton (C), Carroll, Foege

[HF 152](#) A bill for an act relating to fair market drug pricing. (Human Resources)

[HF 154](#) An Act relating to the issuance of a no contact order against the biological parent of an adopted person whose presence or contact with the adopted person poses a threat to the health or safety of the adopted person. (Judiciary)

House Files *continued*

[HF 156](#) An Act relating to dependent adult abuse and providing criminal penalties. (Public Safety) Committee members: De Boef (C), Heddens and Rayhons

[HF 157](#) An Act relating to dependent adult abuse and providing penalties. (Public Safety) Committee members: De Boef (C), Heddens and Rayhons

[HF 177](#) An Act providing for the length of term for legislative appointments to appointed boards and commissions and providing an effective and applicability date. (Administration and Rules)

[HF 191](#) A bill for an act limiting earning restrictions for Iowa public employees' retirement system retirees. (State Government)

[HF 201](#) A bill for an act relating to the types of grants awarded under the senior living trust fund. (Human Resources)

[HF 208](#) A bill for an act reducing earning restrictions for Iowa public employees' retirement system retirees. (State Government)

[HF 210](#) A bill for an act providing for the retention of licensing and renewal fees received by the board of nursing, and providing an effective date.

[HF 215](#) A bill for an act increasing the taxes imposed on cigarettes and tobacco products and providing for appropriation of the increased revenue generated to the medical assistance program and for tobacco control and prevention, and providing an effective date. (Ways & Means)

[HF 217](#) A bill for an act relating to services and providers included under the volunteer health care provider program. (Human Resources)

[HF 221](#) A bill for an act providing for a feasibility study on creating a statewide public employee health insurance system. (State Government)

[HF 225](#) A bill for an act providing for reduced automobile insurance premiums for older adults who complete a certified driver safety education course. (Commerce, Regulations & Labor)

House Files *continued*

[HF 227](#) A bill for an act relating to statutory corrections which may adjust language to reflect current practices, insert earlier omissions, delete redundancies and inaccuracies, delete temporary language, resolve inconsistencies and conflicts, update ongoing provisions, or remove ambiguities, and including effective and retroactive applicability date provisions. (Formerly [HSB 118](#)) (Judiciary)

[HF 235](#) A bill for an act relating to the appointment of a consumer advocate on insurance. (Commerce, Regulations & Labor)

[HF 237](#) A bill for an act increasing the taxes imposed on cigarettes and providing for appropriation of the revenue generated to the medical assistance program and for tobacco control and prevention, and providing an effective date. (Ways & Means)

[HF 247](#) A bill for an act providing for negotiated rulemaking. (Formerly [HSB 33](#))

[HF 259](#) A bill for an act relating to dependent adults and at-risk older adults. (Human Resources)

Senate Files

[SF 3](#) An Act relating to payment of health care coverage costs for state employees for biologically based mental illness treatment services. (Commerce) Bolkcom and Iverson (C); McCoy and Wieck

[SF 5](#) An Act to require state agencies to accept public comments on proposed rulemaking in an electronic format. (State Government) Committee members: Connolly and Ward (C); Black and Kettering.

[SF 15](#) A bill for an act relating to the amount of personal needs allowance for residents of nursing facilities under the medical assistance program. (Human Resources) Committee members: Bolkcom & Johnson (C), Behn, Kreiman

[SF 16](#) A bill for an act relating to the reimbursement for services provided under a medical assistance home and community based services waiver for the elderly. (Human Resources) Committee members: Boettger & Bolkcom (C), Johnson, Kreiman

Senate Files *continued*

[SF 19](#) A bill for an act relating to establishing standardized requirements for long-term care insurance policies. (Commerce) Committee members: Bolkcom and Wieck (C); Courtney and McKinley.

[SF 29](#) A bill for an act relating to the senior living trust fund, providing for appropriation of the moneys in the fund, and providing for a repeal. (Appropriations) Committee members: Angelo and Dvorsky (C)

[SF 30](#) An Act allocating funding appropriated to assist individuals assigned to active duty military service and providing effective and applicability date provisions. (Appropriations) Committee members: Miller and Warnstadt (C); Lamberti and Ragan

[SF 34](#) An Act providing an appropriation for the older Iowans legislature. (Appropriations) Committee members: Angelo and Dvorsky (C)

[SF 48](#) A bill for an act relating to third-party payment of health care coverage costs for mental health conditions, and including substance and alcohol abuse treatment services. (Commerce) Committee members: Beall & Iverson (C), Bolkcom, McKinley

[SF 61](#) A bill for an act requiring the department of human services to report annually concerning the costs and benefits of various contracted services under the medical assistance program. (Human Resources)

[SF 64](#) A bill for an act relating to the use of marijuana for therapeutic purposes and establishing a marijuana therapeutic research program. (Judiciary) Committee members: Kreiman & Tinsman (C), Dvorsky, Ward

[SF 66](#) A bill for an act requiring periodic review of administrative rules by administrative agencies. (State Government) Committee members: Brunkhorst, Kibbie (C), Connolly, and Kettering

[SF 67](#) A bill for an act relating to requests for a regulatory analysis of administrative rules. (State Government) Committee members: Brunkhorst, Kibbie (C), Connolly, and Kettering

Senate Files *continued*

[SF 69](#) A bill for an act relating to wage discrimination by providing for the determination of wage discrimination, applicable remedies, and providing an effective date. (Business and Labor Relations)

[SF 86](#) An Act providing for negotiated rulemaking. (State Government) Kibbie and Ward (C), Connolly, Kettering

[SF 93](#) An Act reducing the amounts of pension income and social security benefits that are taxable by the state and including a retroactive applicability date provision. (Ways and Means)

[SF 102](#) A bill for an act relating to the establishment of a prescription drug assistance program by the commissioner of insurance, and providing for a contingent appropriation. (Commerce) Committee members: Bolkcom, Wieck, Rielly, and Zaun

[SF 109](#) A bill for an act relating to the Iowa long-term care asset disregard incentive program, providing for a repeal, providing a contingent effective date, and providing an appropriation. (Human Resources) Committee members: Johnson, Wood, Behn, and Ragan

[SF 112](#) A bill for an act relating to the creation of a task force to provide for the implementation of Medicare Part D, providing an appropriation, and providing an effective date. (Human Resources) Committee members: Bolkcom, Houser, Boettger, and Kreiman

[SF 113](#) A bill for an act relating to non substantive Code corrections and including effective and retroactive applicability date provisions. (Judiciary)

[SF 118](#) A bill for an act relating to staffing standards in health facilities, and providing penalties. (Human Resources)

[SF 124](#) A bill for an act relating to the granting of visitation to grandparents and great-grandparents. (Judiciary) Committee members: Boettger, Kreiman, Tinsman, and Warnstadt

[SF 126](#) A bill for an act prohibiting discrimination based upon a person's sexual orientation or gender identity under the Iowa civil rights Act. (State Government) Committee members: Connolly & Miller (C), Wood, Zieman

Senate Files *continued*

[SF 130](#) A bill for an act relating to an increase in the taxes on cigarettes and tobacco products, creating a medical assistance and health promotion fund, providing for appropriations, and providing an effective date. (Ways & Means)

[SF 140](#) A bill for an act relating to the establishment of an Iowa long-term care asset disregard incentive program relative to the medical assistance program, providing for a repeal, providing a contingent effective date, and providing an appropriation. (Commerce)

[SF 143](#) A bill for an act relating to the long-term living system in Iowa including the establishment of a vision for Iowa's long-term living system and the creation of a consumer choice, support, and education program. (Human Resources)

Study Bills

[HSB 10](#) An Act relating to certain penalties for filing false affidavits under the state inheritance tax and increasing the amount of property that may be transferred to minors under certain conditions and including a retroactive applicability date provision. (Judiciary)
Committee members: Kaufman (C), Swaim, Tymeson

[HSB 22](#) An Act relating to the compensation of podiatrists under group health insurance policies or health maintenance organization contracts. (Human Resources) Committee members: Wilderdyke (C), Berry, Tomenga

[HSB 52](#) An Act allowing the exclusion of mandated health care benefit coverage in certain health insurance policies or contracts. (Commerce) Committee members: Hoffman (C), Horbach, Olson

[HSB 59](#) An Act relating to meetings of governmental bodies. (State Government) Committee members: Boal (C), Hutter, Whitead

[HSB 95](#) An Act relating to assisted living programs, providing for application of a penalty, and providing for a fee. (Human Resources)
Committee members: Upmeyer(C), Jacoby, Wilderdyke

Study Bills *continued*

[HSB 96](#) An Act relating to substitute decision making and guardians and conservators, providing for the collection and appropriation of fees, and making an appropriation. (Human Resources) Committee members: Tomenga (C), Kurtenbach, Smith

[HSB 98](#) An Act relating to health care facility violations and penalties for such violations. (Human Resources) Committee members: Wilderdyke (C), Carroll, Smith

[HSB 100](#) An Act relating to the membership of the council with which the director of human services consults regarding the medical assistance program. (Human Resources) Committee members: Tomenga (C), Heaton, Wendt

[HSB 101](#) An Act relating to the regulation of elder group homes and providing penalties. (Human Resources) Committee members: Upmeyer (C), Freeman, Hunter

[HSB 102](#) An Act relating to adult day services regulation and providing penalties. (Human Resources) Committee members: Upmeyer (C), Hunter, Roberts

[HSB 103](#) An Act relating to the Iowa commission on volunteer service. (Human Resources) Committee members: Freeman (C), Hunter, Roberts

[HSB 110](#) An Act relating to the creation of a task force to provide for the implementation of Medicare Part D and providing an effective date. (Human Resources) Committee members: Upmeyer (C), Foege, Granzow, Heaton, Jacoby, Roberts, Smith

[HSB 117](#) An Act relating to third-party payment of health care coverage costs for biologically based mental illness treatment services. (Human Resources) Committee members: Carroll (C), Smith, Wilderdyke

[HSB 124](#) An Act relating to a nursing facility quality assurance assessment, providing a contingent effective date, providing for retroactive applicability, and providing an effective date. (Human Resources) Committee members: Carroll (C), Foege, Heaton, Smith, Upmeyer

Study Bills *continued*

[HSB 136](#) An Act relating to violations of the open meetings and open records law by a member of a governmental body, the lawful custodian of a public record, or any other appropriate person.

[HSB 143](#) An Act providing for employer and employee contributions to the Iowa public employees' retirement system.

[HSB 161](#) An Act relating to the Iowa long-term care asset disregard incentive program, providing for a repeal, providing a contingent effective date, and providing an appropriation. (Commerce, Regulation, and Labor)

[HSB 166](#) An Act relating to the Iowa public employees' retirement system and the judicial retirement system. (State Government)

[SSB 1004](#) An Act relating to certain penalties for filing false affidavits under the state inheritance tax and increasing the amount of property that may be transferred to minors under certain conditions and including a retroactive applicability date provision. (Judiciary) Committee members: Kreiman & Mckibben (C), Boettger, Hancock

[SSB 1037](#) An Act relating to appropriation matters by making, increasing, and reducing appropriations for the fiscal year beginning July 1, 2004, and providing effective and applicability date provisions. Committee members: Angelo & Dvorsky (C), Hatch, Lamberti, Tinsman, Warnstadt

[SSB 1041](#) An Act relating to the provision under a group health insurance policy or health maintenance organization contract for compensation of podiatrists. (Human Resources) Dotzler and Seymour (C); Gaskill, Wood

[SSB 1042](#) An Act relating to the membership of the council with which the director of human services consults regarding the medical assistance program. (Human Resources) Boettger & Bolkcom (C); Gaskill, Quirnbach

[SSB 1043](#) An Act relating to health care facility violations and penalties for such violations. (Human Resources) Committee members: Dolzer & Johnson (C), Houser, Wood

Study Bills *continued*

[SSB 1044](#) An Act relating to third party payment of health care coverage costs for biologically based mental illness treatment services. (Human Resources) Committee members: Ragan & Seymour (C); Dotzler, Tinsman

[SSB 1045](#) An Act concerning third party payment of health care coverage costs for mental health conditions, and including substance abuse treatment services. (Human Resources) Committee members: Behn & Ragan (C); Dotzler, Seymour

[SSB 1054](#) An Act allowing the exclusion of mandated health care benefit coverage in certain health insurance policies or contracts. (Commerce) Committee members: Bolkcom & Wieck (C), McCoy, Zaun

[SSB 1076](#) An Act relating to adult day services regulation and providing penalties. (Human Resources) Committee members: Bolkcom & Johnson (C), Gaskill, Wood

[SSB 1077](#) An Act relating to the regulation of elder group homes and providing penalties. (Human Resources) Committee members: Bolkcom & Seymour (C), Dotzler, Huser

[SSB 1078](#) An Act relating to substitute decision making and guardians and conservators, providing for the collection and appropriation of fees, and making an appropriation. (Human Resources) Committee members: Boettger & Wood (C), Johnson, Ragan

[SSB 1079](#) An Act relating to assisted living programs, providing for application of a penalty, and providing for a fee. (Human Resources) Committee members: Quirmback & Tinsman (C), Bolkcom, Seymour

[SSB 1140](#) An Act relating to the provisions of the elder Iowans Act. (Human Resources) Committee members: Boettger & Bolkcom (C), Johnson, Quirmbach

Pre-Filed Bills

Housing Assistance & Improvement Funds
Iowa Finance Authority

Our Mission:

To provide advocacy, educational, and prevention services to older Iowans so they can find Iowa a healthy, safe, productive, and enjoyable place to live and work.

■-□-■ DISCLAIMER ■-□-■

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If you are interested in receiving or discontinuing the legislative updates, contact Erin Haafke by email at erin.haafke@iowa.gov.

